

| <b>United States Bankruptcy Court</b><br><b>NORTHERN DISTRICT OF ILLINOIS</b>  |                                     |   |                                     |   |                            | <b>Voluntary Petition</b>        |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|--|-------------------------------------|---|-------------------------------------|---|----------------------------|----------------------------------|--------------------|----------------------------------|-----------------------------|---------------------------------|----------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-----------------|--|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Name of Debtor (if individual, enter Last, First, Middle):<br><b>Casto, David J</b>  |                                     |   |                                     | Name of Joint Debtor (Spouse)(Last, First, Middle):   |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| All Other Names used by the Debtor in the last 8 years<br>(include married, maiden, and trade names):<br><b>fdba Chicago's Food &amp; Ice Cream, Inc</b>   |                                     |   |                                     | All Other Names used by the Joint Debtor in the last 8 years<br>(include married, maiden, and trade names):   |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Last four digits of Soc. Sec./Complete EIN or other Tax I.D. No.<br>(if more than one, state all): <b>5742</b>   |                                     |   |                                     | Last four digits of Soc. Sec./Complete EIN or other Tax I.D. No.<br>(if more than one, state all):  |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Street Address of Debtor (No. & Street, City, and State):<br><b>21459 Brittany Drive</b><br><b>Frankfort IL</b>  |                                     |   |                                     | Street Address of Joint Debtor (No. & Street, City, and State):   |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <div style="text-align: right;">ZIPCODE<br/><b>60423</b></div>   |                                     |   |                                     | <div style="text-align: right;">ZIPCODE</div>   |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| County of Residence or of the<br>Principal Place of Business: <b>Will</b>  |                                     |   |                                     | County of Residence or of the<br>Principal Place of Business:   |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Mailing Address of Debtor (if different from street address):<br><b>SAME</b>   |                                     |   |                                     | Mailing Address of Joint Debtor (if different from street address):   |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <div style="text-align: right;">ZIPCODE</div>  |                                     |   |                                     | <div style="text-align: right;">ZIPCODE</div>   |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Location of Principal Assets of Business Debtor<br>(if different from street address above): <b>NOT APPLICABLE</b>   |                                     |   |                                     | <div style="text-align: right;">ZIPCODE</div>   |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>Type of Debtor</b> (Form of organization)<br>(Check <b>one</b> box.)<br><input checked="" type="checkbox"/> Individual (includes Joint Debtors)<br><i>See Exhibit D on page 2 of this form.</i><br><input type="checkbox"/> Corporation (includes LLC and LLP)<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other (if debtor is not one of the above<br>entities, check this box and state type of<br>entity below<br><br><hr style="width: 100%;"/>   |                                     | <b>Nature of Business</b><br>(Check <b>one</b> box.)<br><input type="checkbox"/> Health Care Business<br><input type="checkbox"/> Single Asset Real Estate as defined<br>in 11 U.S.C. § 101 (51B)<br><input type="checkbox"/> Railroad<br><input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Commodity Broker<br><input type="checkbox"/> Clearing Bank<br><input type="checkbox"/> Other<br><br><hr style="width: 100%;"/> <b>Tax-Exempt Entity</b><br>(Check box, if applicable.)<br><input type="checkbox"/> Debtor is a tax-exempt organization<br>under Title 26 of the United States<br>Code (the Internal Revenue Code). |                                     | <b>Chapter of Bankruptcy Code Under Which<br/> the Petition is Filed</b> (Check one box)<br><input checked="" type="checkbox"/> Chapter 7<br><input type="checkbox"/> Chapter 9<br><input type="checkbox"/> Chapter 11<br><input type="checkbox"/> Chapter 12<br><input type="checkbox"/> Chapter 13<br><br><input type="checkbox"/> Chapter 15 Petition for Recognition<br>of a Foreign Main Proceeding<br><input type="checkbox"/> Chapter 15 Petition for Recognition<br>of a Foreign Nonmain Proceeding<br><br><hr style="width: 100%;"/> <b>Nature of Debts</b> (Check one box)<br><input checked="" type="checkbox"/> Debts are primarily consumer debts, defined<br>in 11 U.S.C. § 101(8) as "incurred by an<br>individual primarily for a personal, family,<br>or household purpose"<br><input type="checkbox"/> Debts are primarily<br>business debts.<br><br><hr style="width: 100%;"/> <b>Chapter 11 Debtors:</b><br><b>Check one box:</b><br><input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101(51D).<br><input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).<br><br><b>Check if:</b><br><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed<br>to insiders or affiliates) are less than \$2 million.<br><br><b>Check all applicable boxes:</b><br><input type="checkbox"/> A plan is being filed with this petition<br><input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more<br>classes of creditors, in accordance with 11 U.S.C. § 1126(b). |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>Filing Fee</b> (Check one box)<br><input checked="" type="checkbox"/> Full Filing Fee attached<br><input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach<br>signed application for the court's consideration certifying that the debtor is unable<br>to pay fee except in installments. Rule 1006(b). See Official Form 3A.<br><br><input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach<br>signed application for the court's consideration. See Official Form 3B.  |                                     |   |                                     |   |                            |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>Statistical/Administrative Information</b><br><input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.<br><input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for<br>distribution to unsecured creditors.  |                                     |   |                                     |   |                            | THIS SPACE IS FOR COURT USE ONLY |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Estimated Number of<br/>Creditors</td> <td style="width: 5%;">1-<br/>49</td> <td style="width: 5%;">50-<br/>99</td> <td style="width: 5%;">100-<br/>199</td> <td style="width: 5%;">200-<br/>999</td> <td style="width: 10%;">1,000-<br/>5,000</td> <td style="width: 10%;">5,001-<br/>10,000</td> <td style="width: 10%;">10,001-<br/>25,000</td> <td style="width: 10%;">25,001-<br/>50,000</td> <td style="width: 10%;">50,001-<br/>100,000</td> <td style="width: 10%;">OVER<br/>100,000</td> </tr> <tr> <td></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> |                                     |   |                                     |   |                            |                                  |                    | Estimated Number of<br>Creditors | 1-<br>49                    | 50-<br>99                       | 100-<br>199                | 200-<br>999              | 1,000-<br>5,000          | 5,001-<br>10,000                    | 10,001-<br>25,000                   | 25,001-<br>50,000        | 50,001-<br>100,000       | OVER<br>100,000 |  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Estimated Number of<br>Creditors   | 1-<br>49                            | 50-<br>99   | 100-<br>199                         | 200-<br>999   | 1,000-<br>5,000            |                                  |                    | 5,001-<br>10,000                 | 10,001-<br>25,000           | 25,001-<br>50,000               | 50,001-<br>100,000         | OVER<br>100,000          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/>            | <input type="checkbox"/>  | <input type="checkbox"/>   |                                  |                    | <input type="checkbox"/>         | <input type="checkbox"/>    | <input type="checkbox"/>        | <input type="checkbox"/>   | <input type="checkbox"/> |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Estimated<br/>Assets</td> <td style="width: 20%;">\$0 to<br/>\$10,000</td> <td style="width: 20%;">\$10,000 to<br/>\$100,000</td> <td style="width: 20%;">\$100,001 to<br/>\$1 million</td> <td style="width: 20%;">\$1 million to<br/>\$100 million</td> <td style="width: 25%;">Over<br/>\$100 million</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>   |                                     |   |                                     |   |                            | Estimated<br>Assets              | \$0 to<br>\$10,000 | \$10,000 to<br>\$100,000         | \$100,001 to<br>\$1 million | \$1 million to<br>\$100 million | Over<br>\$100 million      |                          | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Estimated<br>Assets  | \$0 to<br>\$10,000                  | \$10,000 to<br>\$100,000  | \$100,001 to<br>\$1 million         | \$1 million to<br>\$100 million   | Over<br>\$100 million      |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|  | <input type="checkbox"/>            | <input checked="" type="checkbox"/>   | <input type="checkbox"/>            | <input type="checkbox"/>  | <input type="checkbox"/>   |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Estimated<br/>Liabilities</td> <td style="width: 20%;">\$0 to<br/>\$50,000</td> <td style="width: 20%;">\$50,000 to<br/>\$100,000</td> <td style="width: 20%;">\$100,001 to<br/>\$1 million</td> <td style="width: 20%;">\$1 million to<br/>\$100 million</td> <td style="width: 25%;">More than<br/>\$100 million</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>   |                                     |   |                                     |   |                            | Estimated<br>Liabilities         | \$0 to<br>\$50,000 | \$50,000 to<br>\$100,000         | \$100,001 to<br>\$1 million | \$1 million to<br>\$100 million | More than<br>\$100 million |                          | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Estimated<br>Liabilities   | \$0 to<br>\$50,000                  | \$50,000 to<br>\$100,000  | \$100,001 to<br>\$1 million         | \$1 million to<br>\$100 million   | More than<br>\$100 million |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|  | <input type="checkbox"/>            | <input type="checkbox"/>  | <input checked="" type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/>   |                                  |                    |                                  |                             |                                 |                            |                          |                          |                                     |                                     |                          |                          |                 |  |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |

Official Form 1 (10/06) West Group, Rochester, NY

|  |  |             |
|--|--|-------------|
| <b>Voluntary Petition</b><br><i>(This page must be completed and filed in every case)</i>  | Name of Debtor(s):<br><b>David J Casto</b> |             |
| <b>All Prior Bankruptcy Cases Filed Within Last 8 Years</b> (If more than two, attach additional sheet)  |  |             |
| Location Where Filed:  | Case Number:                               | Date Filed: |
| <b>NONE</b>  |  |             |
| Location Where Filed:  | Case Number:                               | Date Filed: |
|  |  |             |
| <b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor</b> (If more than one, attach additional sheet)  |  |             |
| Name of Debtor:  | Case Number:                               | Date Filed: |
| District:  | Relationship:                              | Judge:      |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>Exhibit A</b><br/>                     (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under Chapter 11)<br/><br/> <input type="checkbox"/> Exhibit A is attached and made a part of this petition                 </div> <div style="width: 50%;"> <b>Exhibit B</b><br/>                     (To be completed if debtor is an individual whose debts are primarily consumer debts)<br/>                     I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. §342(b).<br/> <div style="display: flex; align-items: center; margin-top: 10px;"> <span style="font-size: 2em; margin-right: 10px;">X</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Signature of Attorney for Debtor(s)</span> <span>Date</span> </div> </div> </div> |  |             |
| <b>Exhibit C</b><br><br>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?<br><br><input type="checkbox"/> Yes, and exhibit C is attached and made a part of this petition.<br><input checked="" type="checkbox"/> No  |  |             |
| <b>Exhibit D</b><br>(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)<br><br><input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made part of this petition.<br>If this is a joint petition:<br><input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.   |  |             |
| <b>Information Regarding the Debtor - Venue</b><br>(Check any applicable box)  |  |             |
| <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.<br><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.<br><input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.   |  |             |
| <b>Statement by a Debtor Who Resides as a Tenant of Residential Property</b><br>(Check all applicable boxes.)  |  |             |
| <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)<br><br><div style="margin-left: 150px;">                 _____<br/>                 (Name of landlord that obtained judgment)             </div> <div style="margin-left: 150px; margin-top: 10px;">                 _____<br/>                 (Address of landlord)             </div> <input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and<br><br><input type="checkbox"/> Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.  |  |             |

Official Form 1 (10/06) West Group, Rochester, NY

FORM B1, Page 3

# **Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**David J Casto**

## **Signatures**

### **Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b)

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

*David J. Casto*

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (if not represented by attorney)

*11/10/06*

Date

### **Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

(Signature of Foreign Representative)

(Printed name of Foreign Representative)

(Date)

### **Signature of Attorney**

X

*Thomas M. Britt*

Signature of Attorney for Debtor(s)

**Thomas M. Britt 6200940**

Printed Name of Attorney for Debtor(s)

**LAW OFFICES OF THOMAS M. BRITT, P.C.**

Firm Name

**6825 W. 171st Street**

Address

**Tinley Park IL 60477**

**(708) 429-5400**

Telephone Number

Date

### **Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

### **Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re *David J Casto*  
*fdba Chicago's Food & Ice Cream, Inc*

Case No. *06 B*  
Chapter *7*

\_\_\_\_\_  
Attorney for Debtor: *Thomas M. Britt*

/ Debtor

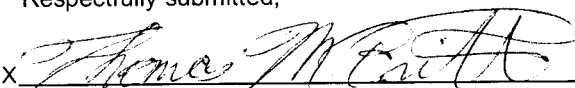
**STATEMENT PURSUANT TO RULE 2016(B)**

The undersigned, pursuant to Rule 2016(b), Bankruptcy Rules, states that:

1. The undersigned is the attorney for the debtor(s) in this case.
2. The compensation paid or agreed to be paid by the debtor(s), to the undersigned is:
  - a) For legal services rendered or to be rendered in contemplation of and in connection with this case . . . . . \$ 4,000.00
  - b) Prior to the filing of this statement, debtor(s) have paid . . . . . \$ 1,900.00
  - c) The unpaid balance due and payable is . . . . . \$ 2,100.00
3. \$ 299.00 of the filing fee in this case has been paid.
4. The Services rendered or to be rendered include the following:
  - a) Analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
  - b) Preparation and filing of the petition, schedules, statement of financial affairs and other documents required by the court.
  - c) Representation of the debtor(s) at the meeting of creditors.
5. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and  
*None other*
6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and  
*None other*
7. The undersigned has received no transfer, assignment or pledge of property from debtor(s) except the following for the value stated:  
*None*
8. The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:  
*None*

Dated:

Respectfully submitted,

x   
\_\_\_\_\_  
Attorney for Debtor: *Thomas M. Britt*  
*LAW OFFICES OF THOMAS M. BRITT, P.C.*  
*6825 W. 171st Street*  
*Tinley Park IL 60477*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re *David J Casto*

Case No. *06 B*  
Chapter *7*

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Debtor(s)

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**WARNING:** You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]*

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement]*

*[Must be accompanied by a motion for determination by the court.]*

- ☐ Incapacity. (Defined in 11 U.S.C. § 109 (h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
- ☐ Disability. (Defined in 11 U.S.C. § 109 (h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
- ☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor:

*David J. Castle*

Date:

*11/13/06*

| Description and Location of Property | Nature of Debtor's Interest in Property | Current Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption |  | Amount of Secured Claim |
|--------------------------------------|---|--|--|-------------------------|
|                                      |   | Husband--H<br>Wife--W<br>Joint--J<br>Community--C  |  |                         |
| None                                 |   |  |  | None                    |
|                                      |   | <b>TOTAL \$</b><br>(Report also on Summary of Schedules.)  |  | 0.00                    |

In re David J Casto

/ Debtor

Case No. 06 B

(if known)

**SCHEDULE B-PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C-Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases. If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

| Type of Property   | None | Description and Location of Property  | Husband--H<br>Wife--W<br>Joint--J<br>Community--C | Current Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption |
|--|------|---|---|--|
|  |      |   |   |  |
| 1. Cash on hand.   | X    |   |   |  |
| 2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.                             |      | <i>Checking account</i><br><i>Location: In debtor's possession</i>                      |   | \$ 700.00  |
| 3. Security deposits with public utilities, telephone companies, landlords, and others.  | X    |   |   |  |
| 4. Household goods and furnishings, including audio, video, and computer equipment.  |      | <i>Miscellaneous Household Goods</i><br><i>Location: In debtor's possession</i>         |   | \$ 1,200.00  |
| 5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  | X    |   |   |  |
| 6. Wearing apparel.  |      | <i>Miscellaneous Wearing Apparel</i><br><i>Location: In debtor's possession</i>         |   | \$ 600.00  |
| 7. Furs and jewelry.   | X    |   |   |  |
| 8. Firearms and sports, photographic, and other hobby equipment.   | X    |   |   |  |
| 9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.   |      | <i>Life Insurance with American Family</i><br><i>Location: In debtor's possession</i>   |   | \$ 1,000.00  |
|  |      | <i>Life Insurance with Country Companies</i><br><i>Location: In debtor's possession</i> |   | \$ 1,000.00  |
| 10. Annuities. Itemize and name each issuer.   | X    |   |   |  |
| 11. Interest in an education IRA as defined in 26 U.S.C. 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)). | X    |   |   |  |



In re David J Casto

/ Debtor

Case No. 06 B

(if known)

**SCHEDULE B-PERSONAL PROPERTY**

(Continuation Sheet)

| Type of Property  | N<br>o<br>n<br>e | Description and Location of Property | <div>Husband--H<br/>Wife--W<br/>Joint--J<br/>Community--C</div> | Current<br>Value<br>of Debtor's Interest,<br>in Property Without<br>Deducting any<br>Secured Claim or<br>Exemption |
|---|------------------|--------------------------------------|---|--|
|   |                  |                                      |   |  |
| 12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.  | X                |                                      |   |  |
| 13. Stock and interests in incorporated and unincorporated businesses. Itemize.   | X                |                                      |   |  |
| 14. Interests in partnerships or joint ventures. Itemize.   | X                |                                      |   |  |
| 15. Government and corporate bonds and other negotiable and non-negotiable instruments.   | X                |                                      |   |  |
| 16. Accounts Receivable.  | X                |                                      |   |  |
| 17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  | X                |                                      |   |  |
| 18. Other liquidated debts owing debtor including tax refunds. Give particulars.  | X                |                                      |   |  |
| 19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.   | X                |                                      |   |  |
| 20. Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.   | X                |                                      |   |  |
| 21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.  | X                |                                      |   |  |
| 22. Patents, copyrights, and other intellectual property. Give particulars.   | X                |                                      |   |  |
| 23. Licenses, franchises, and other general intangibles. Give particulars.  | X                |                                      |   |  |
| 24. Customer lists or other compilations containing personally identifiable information (as described in 11 U.S.C. 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | X                |                                      |   |  |
| 25. Automobiles, trucks, trailers and other vehicles.   | X                |                                      |   |  |
| 26. Boats, motors, and accessories.   | X                |                                      |   |  |
| 27. Aircraft and accessories.   | X                |                                      |   |  |
| 28. Office equipment, furnishings, and supplies.  | X                |                                      |   |  |
| 29. Machinery, fixtures, equipment and supplies used in business.   | X                |                                      |   |  |

In re David J Casto

/ Debtor

Case No. 06 B

(if known)

**SCHEDULE B-PERSONAL PROPERTY**

(Continuation Sheet)

| Type of Property  | N<br>o<br>n<br>e | Description and Location of Property | Husband--H<br>Wife--W<br>Joint--J<br>Community--C | Current<br>Value<br>of Debtor's Interest,<br>in Property Without<br>Deducting any<br>Secured Claim or<br>Exemption |
|---|------------------|--------------------------------------|---|--|
| 30. Inventory.  | X                |                                      |   |  |
| 31. Animals.  | X                |                                      |   |  |
| 32. Crops - growing or harvested.<br>Give particulars.                  | X                |                                      |   |  |
| 33. Farming equipment and implements.                                   | X                |                                      |   |  |
| 34. Farm supplies, chemicals, and feed.                                 | X                |                                      |   |  |
| 35. Other personal property of any kind not<br>already listed. Itemize. | X                |                                      |   |  |
| <b>Total ➡</b>  |                  |                                      |   | <b>\$ 4,500.00</b>   |



|  |   |
|--|---|
| (Report also on Summary of Schedules.) | (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data) |
|--|---|

In re David J. Casto

Debtor(s)

Case No. 06 B

(if known)

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If a "minor child" is stated, also include the name, address and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts NOT entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Domestic Support Obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,000\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4,925\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,225\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Claims for Death or Personal Injury While Debtor Was Intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\*Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

**No continuation sheets attached**

Official Form 6F (10/06) West Group, Rochester, NY

In re David J Casto,

Case No. 06 B  
(if known)

Debtor(s)

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedules. Report this total also on the Summary of Schedules, and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

| Creditor's Name, Mailing Address<br>including Zip Code,<br>And Account Number<br>(See instructions above.)  | Co-Debtor   | Date Claim was Incurred,<br>and Consideration for Claim.<br>If Claim is Subject to Setoff, so State. | Contingent | Unliquidated | Disputed | Amount of Claim |
|---|---|--|------------|--------------|----------|-----------------|
|   |   |  |            |              |          |                 |
| Account No: 05119348301930<br>Creditor # : 1<br>American Express<br>PO Box 297871<br>Ft Lauderdale FL 33329-7871  | H--Husband<br>W--Wife<br>J--Joint<br>C--Community | Credit Card Purchases  |            |              |          | \$ 23,600.00    |
| Account No: 4152140152011<br>Creditor # : 2<br>Bank of America<br>820 Silver Lake Blvd<br>Dover DE 19904-2464   |   | Credit Card Purchases  |            |              |          | \$ 7,552.00     |
| Account No: 488860320002<br>Creditor # : 3<br>Bank of America<br>820 Silver Lake Blvd<br>Dover DE 19904-2464  |   | Credit Card Purchases  |            |              |          | \$ 23,050.00    |
| Account No: 7497548268XXX<br>Creditor # : 4<br>Bank of America<br>PO Box 15026<br>Wilmington DE 19850-5026  |   | Credit Card Purchases  |            |              |          | \$ 56,416.00    |
| 4 continuation sheets attached  |   |  |            |              |          | Subtotal \$     |
|   |   |  |            |              |          | \$ 110,618.00   |
|   |   |  |            |              |          | Total \$        |
| (Use only on last page of the completed Schedule F. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data) |   |  |            |              |          |                 |

Official Form 6F (10/06) - Cont. West Group, Rochester, NY

In re David J Casto,

Case No. 06 B  
(if known)

Debtor(s)

# **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

| Creditor's Name, Mailing Address<br>including Zip Code,<br>And Account Number<br>(See instructions above.)  | Co-Debtor | Date Claim was Incurred,<br>and Consideration for Claim.<br>If Claim is Subject to Setoff, so State. | Contingent | Unliquidated | Disputed | Amount of Claim |
|---|-----------|--|------------|--------------|----------|-----------------|
| H--Husband<br>W--Wife<br>J--Joint<br>C--Community   |           |  |            |              |          |                 |
| Account No: 7498416710XXXX<br>Creditor # : 5<br>Bank of America (MBNA)<br>PO Box 15026<br>Wilmington DE 19850-5026  |           | Credit Card Purchases  |            |              |          | \$ 49,301.00    |
| Account No: 169600-600131XXXX<br>Creditor # : 6<br>Beneficial National Bank<br>PO Box 15518<br>Wilmington DE 19850-5518   |           | Credit Card Purchases  |            |              |          | \$ 3,772.00     |
| Account No: 529149242662XXXX<br>Creditor # : 7<br>Capital One<br>PO Box 85520<br>Richmond VA 23285-5520   |           | Credit Card Purchases  |            |              |          | \$ 23,146.00    |
| Account No: 426681206029XXXX<br>Creditor # : 8<br>Chase<br>PO Box 15928<br>Wilmington DE 19850-5298   |           | Credit Card Purchases  |            |              |          | \$ 11,700.00    |
| Account No: 549104701005XXXX<br>Creditor # : 9<br>Chase<br>PO Box 15928<br>Wilmington DE 19850-5298   |           | Credit Card Purchases  |            |              |          | \$ 18,000.00    |
| Account No: 542418015633XXXX<br>Creditor # : 10<br>Citibank<br>PO Box 6241<br>Sioux Falls SD 57117-6241   |           | Credit Card Purchases  |            |              |          | \$ 28,750.00    |
| <div>                         Sheet No. <u>1</u> of <u>4</u> continuation sheets attached to Schedule of<br/>                         Creditors Holding Unsecured Nonpriority Claims                     </div> <div>                         Subtotal \$ <u>\$ 134,669.00</u><br/>                         Total \$ _____                     </div> |           |  |            |              |          |                 |

(Use only on last page of the completed Schedule F. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data)

Official Form 6F (10/06) - Cont. West Group, Rochester, NY

In re David J Casto,

Case No. 06 B  
(if known)

Debtor(s)

# **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

| Creditor's Name, Mailing Address<br>including Zip Code,<br>And Account Number<br>(See instructions above.)                             | Co-Debtor | Date Claim was Incurred,<br>and Consideration for Claim.<br>If Claim is Subject to Setoff, so State. | Contingent | Unliquidated | Disputed | Amount of Claim |
|--|-----------|--|------------|--------------|----------|-----------------|
|  |           |  |            |              |          |                 |
| Account No: 401804015046XXXX<br>Creditor # : 11<br>Citibank SD<br>c/o Credit Card Services<br>PO Box 15687<br>Wilmington DE 19886-0001 |           | H--Husband<br>W--Wife<br>J--Joint<br>C--Community  |            |              |          | \$ 11,700.00    |
| Account No: 60110073470XXXX<br>Creditor # : 12<br>Discover<br>12 Reads Way<br>New Castle DE 19720-1649                                 |           | Credit Card Purchases  |            |              |          | \$ 16,750.00    |
| Account No: 403769806905XXXX<br>Creditor # : 13<br>FBS Card Service<br>PO Box 9487<br>Minneapolis MN 55440-9487                        |           | Credit Card Purchases  |            |              |          | \$ 1,311.00     |
| Account No: 403769806903XXXX<br>Creditor # : 14<br>FBS Card Service<br>PO Box 9487<br>Minneapolis MN 55440-9487                        |           | Credit Card Purchases  |            |              |          | \$ 15,280.00    |
| Account No: 546700240017XXXX<br>Creditor # : 15<br>Fifth Third Bank<br>38 Fountain Square Plz<br>MD 109064<br>Cincinnati OH 45263-0001 |           | Credit Card Purchases  |            |              |          | \$ 17,000.00    |
| Account No: 603551012002XXXX<br>Creditor # : 16<br>Goodyear/CB USA<br>110 Lake Drive<br>Pencader Corp Center<br>Newark DE 19702-3317   |           | Credit Card Purchases  |            |              |          | \$ 1,385.00     |

Sheet No. 2 of 4 continuation sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal \$ \$ 63,426.00

Total \$

(Use only on last page of the completed Schedule F. Report also on Summary of Schedules  
and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data)



Official Form 6F (10/06) - Cont. West Group, Rochester, NY

In re David J Casto,

Case No. 06 B  
(if known)

Debtor(s)

# **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

| Creditor's Name, Mailing Address<br>including Zip Code,<br>And Account Number<br>(See instructions above.)   | Co-Debtor | Date Claim was Incurred,<br>and Consideration for Claim.<br>If Claim is Subject to Setoff, so State. | Contingent | Unliquidated | Disputed | Amount of Claim     |
|--|-----------|--|------------|--------------|----------|---------------------|
|  |           |  |            |              |          |                     |
| Account No: <b>549944098087XXXX</b><br><b>Creditor # : 17</b><br><b>Household Bank</b><br><b>PO Box 98706</b><br><b>Las Vegas NV 89193-8706</b>  |           | <b>Credit Card Purchases</b>   |            |              |          | <b>\$ 1,900.00</b>  |
| Account No: <b>460738304790XXXX</b><br><b>Creditor # : 18</b><br><b>Household Bank</b><br><b>1000 E 111th Street</b><br><b>Chicago IL 60628-4614</b>   |           | <b>Credit Card Purchases</b>   |            |              |          | <b>\$ 10,530.00</b> |
| Account No: <b>543857000669XXX</b><br><b>Creditor # : 19</b><br><b>Household Credit Services</b><br><b>PO Box 98706</b><br><b>Las Vegas NV 89193-8706</b>  |           | <b>Credit Card Purchases</b>   |            |              |          | <b>\$ 635.00</b>    |
| Account No: <b>2085663XXXX</b><br><b>Creditor # : 20</b><br><b>Kohl's/Chase</b><br><b>N 56 W 17000 Ridgewood Dr</b><br><b>Menomonee Falls WI 53051-5660</b>  |           | <b>Credit Card Purchases</b>   |            |              |          | <b>\$ 640.00</b>    |
| Account No: <b>05 CH 14972</b><br><b>Creditor # : 21</b><br><b>Lindy-Gertie Enterprises</b><br><b>c/o Piper, Rudnick, Gray et al</b><br><b>203 N LaSalle St, Suite 1900</b><br><b>Chicago IL 60601</b> |           | <b>Breach of Contract</b>  |            |              |          | <b>\$ 33,000.00</b> |
| Account No: <b>2457797</b><br><b>Creditor # : 22</b><br><b>Monitronics, Inc</b><br><b>8628 Innovation Way</b><br><b>Chicago IL 60687-0086</b>  |           | <b>Credit Card Purchases</b>   |            |              |          | <b>\$ 500.00</b>    |

Sheet No. 3 of 4 continuation sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

**Subtotal \$** **\$ 47,205.00**

**Total \$**

(Use only on last page of the completed Schedule F. Report also on Summary of Schedules  
and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data)

Official Form 6F (10/06) - Cont. West Group, Rochester, NY

In re David J Casto,

Case No. 06 B  
(if known)

Debtor(s)

# **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

| Creditor's Name, Mailing Address<br>including Zip Code,<br>And Account Number<br>(See instructions above.) | Co-Debtor | Date Claim was Incurred,<br>and Consideration for Claim.<br>If Claim is Subject to Setoff, so State. | Contingent | Unliquidated | Disputed | Amount of Claim |
|--|-----------|--|------------|--------------|----------|-----------------|
|  |           |  |            |              |          |                 |
| Account No: <u>554514011234XXXX</u>  |           |  |            |              |          |                 |
| Creditor # : <u>23</u><br>Peoples Bank<br>1000 Lafayette Blvd<br>Bridgeport CT 06004-4725                  |           | Credit Card Purchases  |            |              |          | \$ 650.00       |
| Account No:  |           |  |            |              |          |                 |
|  |           |  |            |              |          |                 |
| Account No:  |           |  |            |              |          |                 |
|  |           |  |            |              |          |                 |
| Account No:  |           |  |            |              |          |                 |
|  |           |  |            |              |          |                 |
| Account No:  |           |  |            |              |          |                 |
|  |           |  |            |              |          |                 |
| Account No:  |           |  |            |              |          |                 |
|  |           |  |            |              |          |                 |

Sheet No. 4 of 4 continuation sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal \$ \$ 650.00

Total \$ \$ 356,568.00

(Use only on last page of the completed Schedule F. Report also on Summary of Schedules  
and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data)

In re David J Casto

/ Debtor

Case No. 06 B

(if known)

**SCHEDULE G-EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State the nature of debtor's interests in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, indicate that by stating "minor child" and do not disclose the child's name. See 11 U.S.C 112 Fed.R.Bankr.P. 1007(m).

☒ Check this box if the debtor has no executory contracts or unexpired leases.

| <b>Name and Mailing Address,<br/>including Zip Code, of<br/>other Parties to Lease<br/>or Contract</b> | <b>Description of Contract or Lease and<br/>Nature of Debtor's Interest.</b><br>State whether Lease is for Nonresidential Real Property.<br>State Contract Number of any Government Contract. |
|--|---|
|  |   |

In re David J Casto / DebtorCase No. 06 B  
(if known)**SCHEDULE H-CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California Idaho, Louisiana, Nevada, New Mexico, Puerto Rico Texas, Washington, or Wisconsin) within the eight year period immediately preeceding the commencement of the case, identify the name of the debtors spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C 112 ; Fed.Bankr.P. 1007(m).

☒ Check this box if the debtor has no codebtors.

| Name and Address of Codebtor | Name and Address of Creditor |
|------------------------------|------------------------------|
|                              |                              |

In re David J Casto

Debtor(s)

Case No. 06 B

(if known)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child.

|   |                                 |                       |
|---|---------------------------------|-----------------------|
| Debtor's Marital Status:<br><b>Married</b>  | DEPENDENTS OF DEBTOR AND SPOUSE |                       |
|   | RELATIONSHIP(S):                | AGE(S):               |
| EMPLOYMENT: DEBTOR  |                                 | SPOUSE                |
| Occupation <b>Self-Employed</b>   |                                 | <b>Teacher's Aide</b> |
| Name of Employer <b>Illinois Record Pool</b>  |                                 |                       |
| How Long Employed <b>1 Year</b>   |                                 | <b>3 Years</b>        |
| Address of Employer   |                                 |                       |
| INCOME: (Estimate of average or projected monthly income at time case filed)  |                                 |                       |
| 1. Monthly gross wages, salary, and commissions (pro rate if not paid monthly)  | \$ 1,600.00                     | \$ 2,500.00           |
| 2. Estimate Monthly Overtime  | \$ 0.00                         | \$ 0.00               |
| 3. SUBTOTAL   | \$ 1,600.00                     | \$ 2,500.00           |
| 4. LESS PAYROLL DEDUCTIONS  |                                 |                       |
| a. Payroll Taxes and Social Security  | \$ 0.00                         | \$ 375.00             |
| b. Insurance  | \$ 0.00                         | \$ 280.00             |
| c. Union Dues   | \$ 0.00                         | \$ 0.00               |
| d. Other (Specify):   | \$ 0.00                         | \$ 0.00               |
| 5. SUBTOTAL OF PAYROLL DEDUCTIONS   | \$ 0.00                         | \$ 655.00             |
| 6. TOTAL NET MONTHLY TAKE HOME PAY  | \$ 1,600.00                     | \$ 1,845.00           |
| 7. Regular income from operation of business or profession or farm (attach detailed statement)  | \$ 0.00                         | \$ 0.00               |
| 8. Income from Real Property  | \$ 0.00                         | \$ 0.00               |
| 9. Interest and dividends   | \$ 0.00                         | \$ 0.00               |
| 10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.             | \$ 0.00                         | \$ 0.00               |
| 11. Social Security or government assistance  |                                 |                       |
| Specify:  | \$ 0.00                         | \$ 0.00               |
| 12. Pension or retirement income  | \$ 0.00                         | \$ 0.00               |
| 13. Other monthly income  |                                 |                       |
| Specify:  | \$ 0.00                         | \$ 0.00               |
| 14. SUBTOTAL OF LINES 7 THROUGH 13  | \$ 0.00                         | \$ 0.00               |
| 15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)  | \$ 1,600.00                     | \$ 1,845.00           |
| 16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15; if there is only one debtor repeat total reported on line 15) | <b>\$ 3,445.00</b>              |                       |
| (Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)                |                                 |                       |
| 17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:  |                                 |                       |

In re David J Casto,  
Debtor(s)

Case No. 06 B  
(if known)

## SCHEDULE J-CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

|  |               |
|--|---------------|
| 1. Rent or home mortgage payment (include lot rented for mobile home) .....  | \$ 4,400.00   |
| a. Are real estate taxes included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>   |               |
| b. Is property insurance included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>   |               |
| 2. Utilities: a. Electricity and heating fuel .....  | \$ 300.00     |
| b. Water and sewer .....   | \$ 60.00      |
| c. Telephone .....   | \$ 80.00      |
| d. Other <u>Cable &amp; Internet</u> .....   | \$ 80.00      |
| Other .....  | \$ 0.00       |
| Other .....  | \$ 0.00       |
| 3. Home maintenance (repairs and upkeep) .....   | \$ 100.00     |
| 4. Food .....  | \$ 400.00     |
| 5. Clothing .....  | \$ 100.00     |
| 6. Laundry and dry cleaning .....  | \$ 50.00      |
| 7. Medical and dental expenses .....   | \$ 80.00      |
| 8. Transportation (not including car payments) .....   | \$ 200.00     |
| 9. Recreation, clubs and entertainment, newspapers, magazines, etc. ....   | \$ 50.00      |
| 10. Charitable contributions .....   | \$ 50.00      |
| 11. Insurance (not deducted from wages or included in home mortgage payments)  |               |
| a. Homeowner's or renter's .....   | \$ 85.00      |
| b. Life .....  | \$ 100.00     |
| c. Health .....  | \$ 0.00       |
| d. Auto .....  | \$ 150.00     |
| e. Other .....   | \$ 0.00       |
| Other .....  | \$ 0.00       |
| Other .....  | \$ 0.00       |
| 12. Taxes (not deducted from wages or included in home mortgage)<br>(Specify) <u>Real Estate Taxes</u>   | \$ 170.00     |
| 13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)   |               |
| a. Auto .....  | \$ 0.00       |
| b. Other: <u>Second Mortgage</u> .....   | \$ 1,000.00   |
| c. Other: <u>Lawn Service</u> .....  | \$ 0.00       |
| d. Other: .....  | \$ 0.00       |
| 14. Alimony, maintenance, and support paid to others .....   | \$ 0.00       |
| 15. Payments for support of additional dependents not living at your home .....  | \$ 0.00       |
| 16. Regular expenses from operation of business, profession, or farm (attach detailed statement) .....   | \$ 0.00       |
| 17. Other: .....   | \$ 0.00       |
| Other: .....   | \$ 0.00       |
| Other: .....   | \$ 0.00       |
| 18. AVERAGE MONTHLY EXPENSES Total lines 1-17. Report also on Summary of Schedules<br>and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.) | \$ 7,455.00   |
| 19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:                                   |               |
| 20. STATEMENT OF MONTHLY NET INCOME  |               |
| a. Average monthly income from Line 16 of Schedule I   | \$ 3,445.00   |
| b. Average monthly expenses from Line 18 above   | \$ 7,455.00   |
| c. Monthly net income (a. minus b.)  | \$ (4,010.00) |

**UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF ILLINOIS  
 EASTERN DIVISION**

In re *David J Casto*

Case No. *06 B*  
 Chapter *7*

\_\_\_\_\_/ Debtor

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE  | Attached<br>(Yes/No) | No. of<br>Sheets | ASSETS             | LIABILITIES          | OTHER              |
|---|----------------------|------------------|--------------------|----------------------|--------------------|
| A-Real Property   | <i>Yes</i>           | <i>1</i>         | \$ <i>0.00</i>     |                      |                    |
| B-Personal Property   | <i>Yes</i>           | <i>3</i>         | \$ <i>4,500.00</i> |                      |                    |
| C-Property Claimed as<br>Exempt   | <i>Yes</i>           | <i>1</i>         |                    |                      |                    |
| D-Creditors Holding Secured<br>Claims   | <i>Yes</i>           | <i>1</i>         |                    | \$ <i>0.00</i>       |                    |
| E-Creditors Holding<br>Unsecured Priority Claims<br>(Total of Claims on Schedule E) | <i>Yes</i>           | <i>1</i>         |                    | \$ <i>0.00</i>       |                    |
| F-Creditors Holding<br>Unsecured Nonpriority Claims                                 | <i>Yes</i>           | <i>5</i>         |                    | \$ <i>356,568.00</i> |                    |
| G-Executory Contracts and<br>Unexpired Leases                                       | <i>Yes</i>           | <i>1</i>         |                    |                      |                    |
| H-Codebtors   | <i>Yes</i>           | <i>1</i>         |                    |                      |                    |
| I-Current Income of Individual<br>Debtor(s)   | <i>Yes</i>           | <i>1</i>         |                    |                      | \$ <i>3,445.00</i> |
| J-Current Expenditures of<br>Individual Debtor(s)                                   | <i>Yes</i>           | <i>1</i>         |                    |                      | \$ <i>7,455.00</i> |
| TOTAL   |                      | <i>16</i>        | \$ <i>4,500.00</i> | \$ <i>356,568.00</i> |                    |

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re *David J Casto*

Case No. 06 B  
Chapter 7

/ Debtor

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11, or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

Summarize the following types of liabilities, as reported in the Schedules, and total them.

| Type of Liability   | Amount         |
|---|----------------|
| Domestic Support Obligations (from Schedule E)  | \$ 0.00        |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E) (whether disputed or undisputed) | \$ 0.00        |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E)                          | \$ 0.00        |
| Student Loan Obligations (from Schedule F)  | \$ 0.00        |
| Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E           | \$ 0.00        |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)                   | \$ 0.00        |
| <b>TOTAL</b>  | <b>\$ 0.00</b> |

State the following:

|  |             |
|--|-------------|
| Average Income (from Schedule I, Line 16)  | \$ 3,445.00 |
| Average Expenses (from Schedule J, Line 18)  | \$ 7,455.00 |
| Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20) | \$ 4,100.00 |

State the following:

|  |         |               |
|--|---------|---------------|
| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column               |         | \$ 0.00       |
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column             | \$ 0.00 |               |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column |         | \$ 0.00       |
| 4. Total from Schedule F   |         | \$ 356,568.00 |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)               |         | \$ 356,568.00 |



In re David J Casto  
Debtor

Case No. 06 B  
(if known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY AN INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 16 sheets, and that they are true and correct to the best of my knowledge, information and belief.

Date: 11/10/06

Signature David J Casto  
David J Casto

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re *David J Casto*

Case No. *06 B*  
Chapter *7*

\_\_\_\_\_/ Debtor

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

- ☒ I have filed a schedule of assets and liabilities which includes debts secured by property of the estate.
- ☒ I have filed a schedule of executory contracts and unexpired leases which includes personal property subject to an unexpired lease.
- ☐ I intend to do the following with respect to the property of the estate which secures those debts or is subject to a lease:

| Description of Secured Property | Creditor's Name | Property will be<br>Surrendered | Property is<br>claimed as<br>exempt | Property will be<br>redeemed<br>pursuant to<br>11 U.S.C. § 722 | Debt will be<br>reaffirmed<br>pursuant to<br>11 U.S.C. § 524(c) |
|---------------------------------|-----------------|---------------------------------|-------------------------------------|--|---|
| <i>None</i>                     |                 |                                 |                                     |  |   |

| Description of Leased Property | Lessor's Name | Lease will be<br>assumed<br>pursuant<br>to 11 U.S.C.<br>§ 362(h)(1)(A) |
|--------------------------------|---------------|--|
|                                |               |  |

Signature of Debtor(s)

Date: *11/10/06*

Debtor: *David J. Casto*

Date: \_\_\_\_\_

Joint Debtor: \_\_\_\_\_

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re: *David J Casto*  
*fdba Chicago's Food & Ice Cream, Inc*

Case No. *06 B*

**STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. Do not include the name or address of a minor child in this statement. Indicate payments, transfers and the like to minor children by stating "a minor child." See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1-18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19-25. If the answer to an applicable question is "None," or the question is not applicable, mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

**DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor may also be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporation debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101.

**1. Income from employment or operation of business**

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

*Year to date: \$30,000.00*

*Gross income from debtor's business.*

*Last Year: \$35,000.00*

*Gross income from debtor's business.*

*Year before: \$50,000.00*

*Gross income from debtor's business.*

**2. Income other than from employment or operation of business**

State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

**3. Payments to creditors**

Complete a. or b., as appropriate, and c.

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor, made within 90 days immediately preceding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATES OF<br>PAYMENTS | AMOUNT PAID | AMOUNT<br>STILL OWING |
|------------------------------|----------------------|-------------|-----------------------|
|------------------------------|----------------------|-------------|-----------------------|

*Normal minimal monthly payments  
when able.*

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

☒ NONE

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| CAPTION OF SUIT<br>AND CASE NUMBER  | NATURE OF PROCEEDING      | COURT OR AGENCY<br>AND LOCATION       | STATUS OR DISPOSITION               |
|---|---------------------------|---------------------------------------|-------------------------------------|
| <i>Lindy-Gertie<br/>Enterprises v.<br/>Chicago Food and<br/>Ice Cream and David<br/>Casto<br/>05 CH 14972</i> | <i>Breach of Contract</i> | <i>Chancery Court<br/>Cook County</i> | <i>Post-Judgment<br/>proceeding</i> |

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

#### 5. Repossessions, foreclosures and returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

#### 6. Assignments and receiverships

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

## 7. Gifts

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

## 8. Losses

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

## 9. Payments related to debt counseling or bankruptcy

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

| NAME AND ADDRESS OF PAYEE   | DATE OF PAYMENT,<br>NAME OF PAYER IF OTHER THAN DEBTOR         | AMOUNT OF MONEY OR<br>DESCRIPTION AND VALUE OF PROPERTY |
|---|--|---|
| <i>Payee: Thomas M. Britt<br/>Address:<br/>6825 W. 171st Street<br/>Tinley Park, IL 60477</i> | <i>Date of Payment: October, 2006<br/>Payor: David J Casto</i> | <i>\$1,900.00</i>                                       |

|  |  |                |
|--|--|----------------|
| <i>Payee: Consumer Credit<br/>Counseling Service of Greater<br/>Atlanta, Inc.<br/>Address:<br/>100 Edgewood Avenue, Suite<br/>1800<br/>Atlanta, GA 30303</i> | <i>Date of Payment: October,<br/>2006<br/>Payor: David J Casto</i> | <i>\$65.00</i> |
|--|--|----------------|

## 10. Other transfers

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

☒ NONE

## 11. Closed financial accounts

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

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**12. Safe deposit boxes**

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

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**13. Setoffs**

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

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**14. Property held for another person**

List all property owned by another person that the debtor holds or controls.

☒ NONE

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**15. Prior address of debtor**

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

☒ NONE

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**16. Spouses and Former Spouses**

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

☒ NONE

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**17. Environmental Information**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to disposal sites.

"Hazardous Material" means anything defined as hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law:

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

☒ NONE

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

☒ NONE

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law, with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

☒ NONE

**18. Nature, location and name of business**

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

| NAME AND ADDRESS                   | LAST FOUR DIGITS OF<br>SOC. SEC. NO./<br>COMPLETE EIN OR<br>OTHER TAXPAYER I.D. | NATURE OF BUSINESS | BEGINNING AND<br>ENDING DATES    |
|------------------------------------|---|--------------------|----------------------------------|
| Chicago Food and Ice Cream,<br>Inc | ID:   | Fast Food Service  | June, 2004<br>to August,<br>2004 |
| Illinois Record Pool, Inc.         | ID:   | Music Promotion    | 2005 to<br>present               |

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

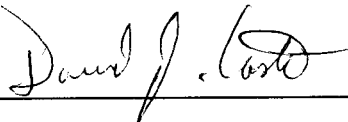
☒ NONE

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 11/10/06

Signature  
of Debtor



Date \_\_\_\_\_

Signature  
of Joint Debtor  
(if any)

American Express  
PO Box 297871  
Ft Lauderdale, FL 33329-7871

Bank of America  
820 Silver Lake Blvd  
Dover, DE 19904-2464

Bank of America  
PO Box 15026  
Wilmington, DE 19850-5026

Bank of America (MBNA)  
PO Box 15026  
Wilmington, DE 19850-5026

Beneficial National Bank  
PO Box 15518  
Wilmington, DE 19850-5518

Capital One  
PO Box 85520  
Richmond, VA 23285-5520

David J Casto  
21459 Brittany Drive  
Frankfort, IL 60423

Chase  
PO Box 15928  
Wilmington, DE 19850-5298

Citibank  
PO Box 6241  
Sioux Falls, SD 57117-6241

Citibank SD  
c/o Credit Card Services  
PO Box 15687  
Wilmington, DE 19886-0001

Discover  
12 Reads Way  
New Castle, DE 19720-1649

FBS Card Service  
PO Box 9487  
Minneapolis, MN 55440-9487

Fifth Third Bank  
38 Fountain Square Plz  
MD 109064  
Cincinnati, OH 45263-0001

Goodyear/CB USA  
110 Lake Drive  
Pencader Corp Center  
Newark, DE 19702-3317



PO Box 98706

Las Vegas, NV 89193-8706

Household Bank

1000 E 111th Street

Chicago, IL 60628-4614

Household Credit Services

PO Box 98706

Las Vegas, NV 89193-8706

Kohl's/Chase

N 56 W 17000 Ridgewood Dr

Menomonee Falls, WI 53051-5660

Lindy-Gertie Enterprises

c/o Piper, Rudnick, Gray et al

203 N LaSalle St, Suite 1900

Chicago, IL 60601

Monitronics, Inc

8628 Innovation Way

Chicago, IL 60687-0086

Peoples Bank

1000 Lafayette Blvd

Bridgeport, CT 06004-4725

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re *David J Casto*  
*fdba Chicago's Food & Ice Cream, Inc*

Case No. *06 B*  
Chapter *7*

\_\_\_\_\_/ Debtor  
Attorney for Debtor: *Thomas M. Britt*

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

Date: 11/10/06

*David J. Casto*  
Debtor